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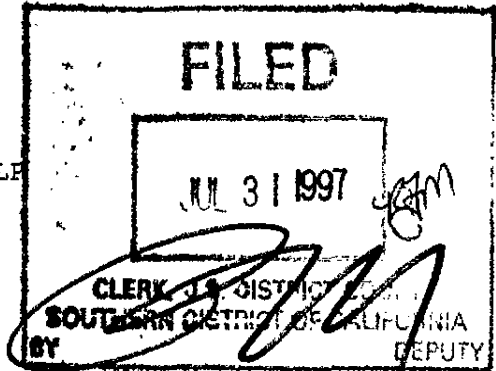
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\*219\*

\*ANS.\*

JOSEPH C. CAMPO, S.B.N. 150035  
MARIANNE FRATIANNE, S.B.N. 163552  
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Attorneys for JOSEPH A. CLAIR III and  
CENTER CITY PLANNING Defendants



UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

PAUL F. CLARK, SR, et al.,	)	No. 96-1023-J (JFS)
	)	
Plaintiffs,	)	ANSWER TO SECOND AMENDED
	)	COMPLAINT
vs.	)	
	)	
ANDOVER SECURITIES, INC. et	)	
al.,	)	
	)	
Defendants.	)	

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD HEREIN:

PLEASE BE ADVISED that the Defendants Joseph A. Clair, III and  
Center City Planning herewith responds to the First Amended  
Complaint on file as follows:

1. As to paragraph 1 of the Amended Complaint these answering  
defendants deny each, every, and all of the allegations contained  
therein.

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1           2. Answering paragraph 2 of the Complaint, these answering  
2 defendants deny, each, every, and all of the allegations contained  
3 in said paragraph.

4           3. Answering paragraph 3 of the Complaint, these answering  
5 defendants lack sufficient information or belief to respond to the  
6 allegations contained in said paragraph, and must therefore each,  
7 every, and all of the allegations contained therein.

8           4. Answering paragraph 4 of the Complaint, these  
9 answering defendants lack sufficient information and belief to  
10 respond to the allegations contained in said paragraph, and must  
11 therefore deny each, every, and all of the allegations contained  
12 therein.

13           5. Answering paragraph 5 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations of said paragraph and must therefore deny each, every,  
16 and all of the allegations contained therein.

17           6. Answering paragraph 6 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations of said paragraph, and must therefore deny each, every,  
20 and all of the allegations contained therein.

21           7. Answering paragraph 7 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25           8. Answering paragraph 8 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations of said paragraph, and must therefore deny each, every,  
28 and all of the allegations contained therein.

1 9. Answering paragraph 9 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations of said paragraph, and must therefore deny each, every,  
4 and all of the allegations contained therein.

5 10. Answering paragraph 10 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9 11. Answering paragraph 11 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13 12. Answering paragraph 12 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17 13. Answering paragraph 13 of the Complaint, these answering  
18 defendants admit that defendant Clair was a stockbroker at the time  
19 alleged associated with Center City Planning, a duly organized New  
20 York corporation and a member of the National Association of  
21 Securities Dealers, which offered Towers Notes for sale. However,  
22 these answering defendants deny that any acts or omissions on the  
23 part of these answering defendants were the proximate cause of any  
24 harm suffered by any plaintiff herein.

25 14. Answering paragraph 14 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1           15. Answering paragraph 15 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5           16. Answering paragraph 13 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9           17. Answering paragraph 17 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13           18. Answering paragraph 18 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17           19. Answering paragraph 19 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21           20. Answering paragraph 20 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25           21. Answering paragraph 21 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1       22. Answering paragraph 22 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5       23. Answering paragraph 23 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9       24. Answering paragraph 24 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13       25. Answering paragraph 25 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17       26. Answering paragraph 26 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21       27. Answering paragraph 27 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25       28. Answering paragraph 28 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1       29. Answering paragraph 29 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5       30. Answering paragraph 30 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9       31. Answering paragraph 31 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13       32. Answering paragraph 32 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17       33. Answering paragraph 33 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21       34. Answering paragraph 34 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25       35. Answering paragraph 35 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1       36. Answering paragraph 36 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5       37. Answering paragraph 37 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9       38. Answering paragraph 38 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13       39. Answering paragraph 39 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17       40. Answering paragraph 40 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21       41. Answering paragraph 41 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25       42. Answering paragraph 42 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.



1 43. Answering paragraph 43 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5 44. Answering paragraph 44 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9 45. Answering paragraph 45 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13 46. Answering paragraph 46 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17 47. Answering paragraph 47 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21 48. Answering paragraph 48 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25 49. Answering paragraph 49 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1           50. Answering paragraph 50 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5           51. Answering paragraph 51 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9           52. Answering paragraph 52 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13           53. Answering paragraph 54 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17           54. Answering paragraph 54 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21           55. Answering paragraph 55 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25           56. Answering paragraph 56 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1           57. Answering paragraph 57 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5           58. Answering paragraph 58 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9           59. Answering paragraph 59 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13           60. Answering paragraph 60 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17           61. Answering paragraph 61 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21           62. Answering paragraph 62 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25           63. Answering paragraph 63 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1           64. Answering paragraph 64 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5           65. Answering paragraph 65 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9           66. Answering paragraph 66 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13           67. Answering paragraph 67 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17           68. Answering paragraph 68 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21           69. Answering paragraph 69 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25           70. Answering paragraph 70 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1       71. Answering paragraph 71 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5       72. Answering paragraph 72 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9       73. Answering paragraph 73 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13       74. Answering paragraph 74 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17       75. Answering paragraph 75 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21       76. Answering paragraph 76 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25       77. Answering paragraph 77 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1 78. Answering paragraph 78 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5 79. Answering paragraph 79 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9 80. Answering paragraph 80 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13 81. Answering paragraph 81 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17 82. Answering paragraph 82 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21 83. Answering paragraph 83 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25 84. Answering paragraph 84 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.

1 85. Answering paragraph 85 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5 86. Answering paragraph 86 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9 87. Answering paragraph 87 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13 88. Answering paragraph 88 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17 89. Answering paragraph 89 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21 90. Answering paragraph 90 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25 91. Answering paragraph 92 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.



1           92. Answering paragraph 92 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5           93. Answering paragraph 93 of the Complaint, these answering  
6 defendants lack sufficient information and belief to respond to the  
7 allegations contained in said paragraph, and must therefore deny  
8 each, every, and all of the allegations contained therein.

9           94. Answering paragraph 94 of the Complaint, these answering  
10 defendants lack sufficient information and belief to respond to the  
11 allegations contained in said paragraph, and must therefore deny  
12 each, every, and all of the allegations contained therein.

13           95. Answering paragraph 95 of the Complaint, these answering  
14 defendants lack sufficient information and belief to respond to the  
15 allegations contained in said paragraph, and must therefore deny  
16 each, every, and all of the allegations contained therein.

17           96. Answering paragraph 96 of the Complaint, these answering  
18 defendants lack sufficient information and belief to respond to the  
19 allegations contained in said paragraph, and must therefore deny  
20 each, every, and all of the allegations contained therein.

21           97. Answering paragraph 97 of the Complaint, these answering  
22 defendants lack sufficient information and belief to respond to the  
23 allegations contained in said paragraph, and must therefore deny  
24 each, every, and all of the allegations contained therein.

25           98. Answering paragraph 98 of the Complaint, these answering  
26 defendants lack sufficient information and belief to respond to the  
27 allegations contained in said paragraph, and must therefore deny  
28 each, every, and all of the allegations contained therein.



1 99. Answering paragraph 99 of the Complaint, these answering  
2 defendants lack sufficient information and belief to respond to the  
3 allegations contained in said paragraph, and must therefore deny  
4 each, every, and all of the allegations contained therein.

5 100. Answering paragraph 100 of the Complaint, these  
6 answering defendants lack sufficient information and belief to  
7 respond to the allegations contained in said paragraph, and must  
8 therefore deny each, every, and all of the allegations contained  
9 therein.

10 101. Answering paragraph 101 of the Complaint, these  
11 answering defendants lack sufficient information and belief to  
12 respond to the allegations contained in said paragraph, and must  
13 therefore deny each, every, and all of the allegations contained  
14 therein.

15 102. Answering paragraph 102 of the Complaint, these  
16 answering defendants lack sufficient information and belief to  
17 respond to the allegations contained in said paragraph, and must  
18 therefore deny each, every, and all of the allegations contained  
19 therein.

20 103. Answering paragraph 103 of the Complaint, these  
21 answering defendants lack sufficient information and belief to  
22 respond to the allegations contained in said paragraph, and must  
23 therefore deny each, every, and all of the allegations contained  
24 therein.

25 104. Answering paragraph 104 of the Complaint, these  
26 answering defendants lack sufficient information and belief to  
27 respond to the allegations contained in said paragraph, and must  
28 therefore deny each, every, and all of the allegations contained therein.

1       105. Answering paragraph 105 of the Complaint, these  
2 answering defendants lack sufficient information and belief to  
3 respond to the allegations contained in said paragraph, and must  
4 therefore deny each, every, and all of the allegations contained  
5 therein.

6       106. Answering paragraph 106 of the Complaint, these  
7 answering defendants lack sufficient information and belief to  
8 respond to the allegations contained in said paragraph, and must  
9 therefore deny each, every, and all of the allegations contained  
10 therein.

11       107. Answering paragraph 107 of the Complaint, these  
12 answering defendants lack sufficient information and belief to  
13 respond to the allegations contained in said paragraph, and must  
14 therefore deny each, every, and all of the allegations contained  
15 therein.

16       108. Answering paragraph 108 of the Complaint, these  
17 answering defendants lack sufficient information and belief to  
18 respond to the allegations contained in said paragraph, and must  
19 therefore deny each, every, and all of the allegations contained  
20 therein.

21       109. Answering paragraph 109 of the Complaint, these  
22 answering defendants lack sufficient information and belief to  
23 respond to the allegations contained in said paragraph, and must  
24 therefore deny each, every, and all of the allegations contained  
25 therein.

26       110. Answering paragraph 110 of the Complaint, these  
27 answering defendants lack sufficient information and belief to  
28 respond to the allegations contained in said paragraph, and must

1 therefore deny each, every, and all of the allegations contained  
2 therein.

3 111. Answering paragraph 111 of the Complaint, these  
4 answering defendants lack sufficient information and belief to  
5 respond to the allegations contained in said paragraph, and must  
6 therefore deny each, every, and all of the allegations contained  
7 therein.

8 112. Answering paragraph 112 of the Complaint, these  
9 answering defendants lack sufficient information and belief to  
10 respond to the allegations contained in said paragraph, and must  
11 therefore deny each, every, and all of the allegations contained  
12 therein.

13 113. Answering paragraph 113 of the Complaint, these  
14 answering defendants lack sufficient information and belief to  
15 respond to the allegations contained in said paragraph, and must  
16 therefore deny each, every, and all of the allegations contained  
17 therein.

18 114. Answering paragraph 114 of the Complaint, these  
19 answering defendants lack sufficient information and belief to  
20 respond to the allegations contained in said paragraph, and must  
21 therefore deny each, every, and all of the allegations contained  
22 therein.

23 115. Answering paragraph 115 of the Complaint, these  
24 answering defendants lack sufficient information and belief to  
25 respond to the allegations contained in said paragraph, and must  
26 therefore deny each, every, and all of the allegations contained  
27 therein.

28 116. Answering paragraph 116 of the Complaint, these

1 answering defendants lack sufficient information and belief to  
2 respond to the allegations contained in said paragraph, and must  
3 therefore deny each, every, and all of the allegations contained  
4 therein.

5 117. Answering paragraph 117 of the Complaint, these  
6 answering defendants lack sufficient information and belief to  
7 respond to the allegations contained in said paragraph, and must  
8 therefore deny each, every, and all of the allegations contained  
9 therein.

10 118. Answering paragraph 118 of the Complaint, these  
11 answering defendants lack sufficient information and belief to  
12 respond to the allegations contained in said paragraph, and must  
13 therefore deny each, every, and all of the allegations contained  
14 therein.

15 119. Answering paragraph 119 of the Complaint, these  
16 answering defendants lack sufficient information and belief to  
17 respond to the allegations contained in said paragraph, and must  
18 therefore deny each, every, and all of the allegations contained  
19 therein.

20 120. Answering paragraph 120 of the Complaint, these  
21 answering defendants lack sufficient information and belief to  
22 respond to the allegations contained in said paragraph, and must  
23 therefore deny each, every, and all of the allegations contained  
24 therein.

25 121. Answering paragraph 121 of the Complaint, these  
26 answering defendants lack sufficient information and belief to  
27 respond to the allegations contained in said paragraph, and must  
28 therefore deny each, every, and all of the allegations contained therein.

1           122. Answering paragraph 122 of the Complaint, these  
2 answering defendants lack sufficient information and belief to  
3 respond to the allegations contained in said paragraph, and must  
4 therefore deny each, every, and all of the allegations contained  
5 therein.

6           123. Answering paragraph 123 of the Complaint, these  
7 answering defendants lack sufficient information and belief to  
8 respond to the allegations contained in said paragraph, and must  
9 therefore deny each, every, and all of the allegations contained  
10 therein.

11           124. Answering paragraph 124 of the Complaint, these  
12 answering defendants lack sufficient information and belief to  
13 respond to the allegations contained in said paragraph, and must  
14 therefore deny each, every, and all of the allegations contained  
15 therein.

16           125. Answering paragraph 125 of the Complaint, these  
17 answering defendants lack sufficient information and belief to  
18 respond to the allegations contained in said paragraph, and must  
19 therefore deny each, every, and all of the allegations contained  
20 therein.

21           126. Answering paragraph 126 of the Complaint, these  
22 answering defendants lack sufficient information and belief to  
23 respond to the allegations contained in said paragraph, and must  
24 therefore deny each, every, and all of the allegations contained  
25 therein.

26           127. Answering paragraph 127 of the Complaint, these  
27 answering defendants lack sufficient information and belief to  
28 respond to the allegations as to all defendants and must therefore

1 deny each, every, and all of the allegations of the paragraph.

2 128. Answering paragraph 128 of the Complaint, these  
3 answering defendants lack sufficient information and belief to  
4 respond to the allegations contained in said paragraph, and must  
5 therefore deny each, every, and all of the allegations contained  
6 therein.

7 129. Answering paragraph 129 of the Complaint, these  
8 answering defendants lack sufficient information and belief to  
9 respond to the allegations contained in said paragraph, and must  
10 therefore deny each, every, and all of the allegations contained  
11 therein.

12 130. Answering paragraph 130 of the Complaint, these  
13 answering defendants lack sufficient information and belief to  
14 respond to the allegations contained in said paragraph, and must  
15 therefore deny each, every, and all of the allegations contained  
16 therein.

17  
18 FIRST CAUSE OF ACTION

19 131. Answering paragraph 131 of the Complaint, these  
20 answering defendants hereby incorporate by reference all of the  
21 responses to paragraphs 1 through 130 of the Complaint as though  
22 fully set forth at length herein.

23 132. Answering paragraph 132 of the Complaint, these  
24 answering defendants lack sufficient information and belief as to  
25 all defendants to respond to the allegations of said paragraph, and  
26 must therefore deny each, every, and all of the allegations  
27 contained therein.

28 133. Answering paragraph 133 of the Complaint, these

1 answering defendants lack sufficient information and belief to  
2 respond to the allegations as to all defendants and must therefore  
3 deny each, every, and all of the allegations of the paragraph.  
4

5 SECOND CAUSE OF ACTION

6 134. Answering paragraph 134 of the Complaint, these  
7 answering defendants hereby incorporate by reference all of the  
8 responses to paragraphs 1 through 133 of the Complaint as though  
9 fully set forth at length herein.

10 135. Answering paragraph 135 of the Complaint, these  
11 answering defendants lack sufficient information and belief as to  
12 all defendants to respond to the allegations of said paragraph, and  
13 must therefore deny each, every, and all of the allegations  
14 contained therein.

15 136. Answering paragraph 136 of the Complaint, these  
16 answering defendants lack sufficient information and belief to  
17 respond to the allegations contained in said paragraph, and must  
18 therefore deny each, every, and all of the allegations contained  
19 therein.

20 137. Answering paragraph 137 of the Complaint, these  
21 answering defendants lack sufficient information and belief to  
22 respond to the allegations contained in said paragraph, and must  
23 therefore deny each, every, and all of the allegations contained  
24 therein.

25 138. Answering paragraph 138 of the Complaint, these  
26 answering defendants lack sufficient information and belief to  
27 respond to the allegations contained in said paragraph, and must  
28 therefore deny each, every, and all of the allegations contained

1 therein.

2 139. Answering paragraph 139 of the Complaint, these  
3 answering defendants lack sufficient information and belief to  
4 respond to the allegations of said paragraph, and must therefore  
5 deny each, every, and all of the allegations contained therein.

6 140. Answering paragraph 140 of the Complaint, these  
7 answering defendants lack sufficient information and belief to  
8 respond to the allegations of said paragraph, and must therefore  
9 deny each, every, and all of the allegations contained therein.

10 141. Answering paragraph 141 of the Complaint, these  
11 answering defendants lack sufficient information and belief to  
12 respond to the allegations of said paragraph, and must therefore  
13 deny each, every, and all of the allegations contained therein.

14 142. Answering paragraph 142 of the Complaint, these  
15 answering defendants lack sufficient information and belief to  
16 respond to the allegations of said paragraph, and must therefore  
17 deny each, every, and all of the allegations contained therein.

18 143. Answering paragraph 143 of the Complaint, these  
19 answering defendants lack sufficient information and belief to  
20 respond to the allegations of said paragraph, and must therefore  
21 deny each, every, and all of the allegations contained therein.

22 144. Answering paragraph 144 of the Complaint, these  
23 answering defendants lack sufficient information and belief to  
24 respond to the allegations of said paragraph, and must therefore  
25 deny each, every, and all of the allegations contained therein.

26 145. Answering paragraph 145 of the Complaint, these  
27 answering defendants lack sufficient information and belief to  
28 respond to the allegations of said paragraph, and must therefore



1 deny each, every, and all of the allegations contained therein.

2  
3 THIRD CAUSE OF ACTION

4 146. Answering paragraph 146 of the Complaint, these  
5 answering defendants hereby incorporate by reference all of the  
6 responses to paragraphs 1 through 145 of the Complaint as though  
7 fully set forth at length herein.

8 147. Answering paragraph 147 of the Complaint, these  
9 answering defendants deny each, every, and all of the allegations  
10 contained therein.

11 148. Answering paragraph 148 of the Complaint, these  
12 answering defendants deny each, every, and all of the allegations  
13 contained therein.

14 149. Answering paragraph 149 of the Complaint, these  
15 answering defendants lack sufficient information and belief to  
16 respond to the allegations of said paragraph, and must therefore  
17 deny each, every, and all of the allegations contained therein.

18 150. Answering paragraph 150 of the Complaint, these  
19 answering defendants hereby lacks sufficient information or belief  
20 to respond to the allegations of said paragraph and must therefore  
21 deny each, every, and all of the allegations contained therein.

22 151. Answering paragraph 151 of the Complaint, these  
23 answering defendants lack sufficient information and belief to  
24 respond to the allegations of said paragraph and must deny each,  
25 every, and all of the allegations contained therein.

26  
27 FOURTH CAUSE OF ACTION

28 152. Answering paragraph 152 of the Complaint, these

1 answering defendants hereby incorporate by reference all of the  
2 prior responses to paragraphs 1 through 151 of the Complaint as  
3 though fully set forth at length herein.

4 153. Answering paragraph 153 of the Complaint, these  
5 answering defendants lack sufficient information and belief to  
6 respond to the allegations of said paragraph, and must therefore  
7 deny each, every, and all of the allegations contained therein.

8 154. Answering paragraph 154 of the Complaint, these  
9 answering defendants lack sufficient information and belief to  
10 respond to the allegations of said paragraph, and must therefore  
11 deny each, every, and all of the allegations contained therein.

12 155. Answering paragraph 155 of the Complaint, these  
13 answering defendants lack sufficient information and belief to  
14 respond to the allegations of said paragraph, and must therefore  
15 deny each, every, and all of the allegations contained therein.

16  
17 FIFTH CAUSE OF ACTION

18 156. Answering paragraph 156 of the Complaint, these  
19 answering defendants hereby incorporate by reference prior  
20 responses to paragraphs 1 through 155 of the Complaint as though  
21 fully set forth at length herein.

22 157. Answering paragraph 157 of the Complaint, these  
23 answering defendants deny each, every, and all of the allegations  
24 contained therein.

25 158. Answering paragraph 158 of the Complaint, these  
26 answering defendants deny each, every, and all of the allegations  
27 contained therein.

SIXTH CAUSE OF ACTION

159. Answering paragraph 159 of the Complaint, these answering defendants hereby incorporate by reference prior responses to paragraphs 1 through 158 to set forth above as though fully set forth at length herein.

160. Answering paragraph 160 of the Complaint, these answering defendants lack sufficient information and belief to respond to the allegations of said paragraph, and must therefore deny each, every, and all of the allegations contained therein.

161. Answering paragraph 161 of the Complaint, these answering defendants lack sufficient information and belief to respond to the allegations of said paragraph, and must therefore deny each, every, and all of the allegations contained therein.

SEVENTH CAUSE OF ACTION

162. Answering paragraph 162 of the Complaint, these answering defendants hereby incorporate by reference prior responses to paragraphs 1 through 161 of the Complaint as though fully set forth at length herein.

163. Answering paragraph 163 of the Complaint, these answering defendants deny each, every, and all of the allegations contained therein.

EIGHTH CAUSE OF ACTION

164. Answering paragraph 164 of the Complaint, these answering defendants hereby incorporate by reference the prior responses to paragraphs 1 through 163 of the Complaint as though fully set forth at length herein.

1 165. Answering paragraph 165 of the Complaint, these  
2 answering defendants lack sufficient information and belief to  
3 respond to the allegations contained therein, and must therefore  
4 deny each, every, and all of the allegations of said paragraph.

5 166. Answering paragraph 166 of the Complaint, these  
6 answering defendants lack sufficient information and belief to  
7 respond to the allegations contained therein, and must therefore  
8 deny each, every, and all of the allegations of said paragraph.

9  
10 NINTH CAUSE OF ACTION

11 167. Answering paragraph 167 of the Complaint, these  
12 answering defendants hereby incorporate by reference prior  
13 responses to paragraphs 1 through 166 of the Complaint as though  
14 fully set forth at length herein.

15 168. Answering paragraph 168 of the Complaint, these  
16 answering defendants lack sufficient information and belief to  
17 respond on behalf of all defendants and must therefore deny each,  
18 every, and all of the allegations contained therein.

19 169. Answering paragraph 169 of the Complaint, these  
20 answering defendants lack sufficient information and belief to  
21 respond on behalf of all defendants and must therefore deny each,  
22 every, and all of the allegations contained therein.

23  
24 TENTH CAUSE OF ACTION

25 170. Answering paragraph 170 of the Complaint, these  
26 answering defendants hereby incorporate by reference prior  
27 responses to the allegations contained in paragraphs 1 through 169  
28 of the Complaint as though fully set forth at length herein.

1 171. Answering paragraph 171 of the Complaint, these  
2 answering defendants lack sufficient information and belief to  
3 respond to the allegations of the Complaint, and must therefore  
4 deny each, every, and all of the allegations contained therein.

5 172. Answering paragraph 172 of the Complaint, these  
6 answering defendants lack sufficient information and belief to  
7 respond to the allegations of the Complaint, and must therefore  
8 deny each, every, and all of the allegations contained therein.

9 173. Answering paragraph 173 of the Complaint, these  
10 answering defendants lack sufficient information and belief to  
11 respond on behalf of all defendants the allegations contained in  
12 said paragraph, and must therefore deny each, every, and all of the  
13 allegations contained therein.

14  
15 ELEVENTH CAUSE OF ACTION

16 174. Answering paragraph 174 of the Complaint, these  
17 answering defendants hereby incorporate by reference the prior  
18 responses to the allegations of paragraphs 1 through 173 of the  
19 Complaint as though fully set forth at length herein.

20 175. Answering paragraph 175 of the Complaint, these  
21 answering defendants lack sufficient information and belief to  
22 respond to the allegations of the paragraph and must therefore deny  
23 each, every, and all of the allegations contained therein.

24 176. Answering paragraph 176 of the Complaint, these  
25 answering defendants lack sufficient information and belief to  
26 respond to the allegations of the paragraph and must therefore deny  
27 each, every, and all of the allegations contained therein.

28 177. Answering paragraph 177 of the Complaint, these

1 answering defendants lack sufficient information and belief to  
2 respond on behalf of all defendants the allegations contained in  
3 said paragraph, and must therefore deny each, every, and all of the  
4 allegations contained therein.

5 178. Answering paragraph 178 of the Complaint, these  
6 answering defendants lack sufficient information and belief to  
7 respond on behalf of all defendants the allegations contained in  
8 said paragraph, and must therefore deny each, every, and all of the  
9 allegations contained therein.

10 179. Answering paragraph 179 of the Complaint, these  
11 answering defendants lack sufficient information and belief to  
12 respond on behalf of all defendants the allegations contained in  
13 said paragraph, and must therefore deny each, every, and all of the  
14 allegations contained therein.

15 180. Answering paragraph 180 of the Complaint, these  
16 answering defendants lack sufficient information and belief to  
17 respond to the allegations contained in said paragraph, and must  
18 therefore deny each, every, and all of the allegations contained  
19 therein.

20 181. Answering paragraph 181 of the Complaint, these  
21 answering defendants lack sufficient information and belief to  
22 respond to the allegations contained in said paragraph, and must  
23 therefore deny each, every, and all of the allegations contained  
24 therein.

25 182. Answering paragraph 182 of the Complaint, these  
26 answering defendants lack sufficient information and belief to  
27 respond to the allegations contained in said paragraph, and must  
28 therefore deny each, every, and all of the allegations contained

1 therein.

2  
3 FIRST AFFIRMATIVE DEFENSE

4 (Failure to State a Cause of Action)

5 183. The Second Amended Complaint, and each and every  
6 purported cause of action contained therein, fails to allege facts  
7 sufficient to state a cause of action against these answering  
8 defendants.

9  
10 SECOND AFFIRMATIVE DEFENSE

11 (Statute of Limitations)

12 184. The Complaint, and each and every purported cause of  
13 action asserted therein, is barred by the applicable statute of  
14 limitations, including but not limited to, Code of Civil Procedure  
15 § 337, 338, 339, 340, and applicable Federal Securities Laws.

16  
17 THIRD AFFIRMATIVE DEFENSE

18 (Estoppel)

19 185. Plaintiffs are estopped from asserting the allegations  
20 contained in the Complaint, and in each and every alleged cause of  
21 action contained therein, by reason of the acts, omissions,  
22 representations, and courses of conduct of Plaintiffs and/or  
23 Plaintiffs' agents, upon which Defendants relied to their prejudice  
24 and detriment.

25  
26 FOURTH AFFIRMATIVE DEFENSE

27 (Waiver)

28 186. Plaintiffs and/or Plaintiffs' agents have expressly and

1 impliedly waived all claims arising from the allegations of the  
2 Complaint.

3  
4 **FIFTH AFFIRMATIVE DEFENSE**

5 **(Intervening and Superseding Causation)**

6 187. The damages referred to in the Complaint, were  
7 proximately caused or contributed to by the negligence of persons  
8 and/or entities other than these Defendants, and the aforesaid  
9 negligence or wrongful acts of persons and/or entities other than  
10 these Defendants constituted an intervening and superseding cause  
11 of the damages alleged in the Complaint.

12  
13 **SIXTH AFFIRMATIVE DEFENSE**

14 **(Contributory/Comparative Negligence)**

15 188. That the injuries, damages, and losses referred to in  
16 said Complaint were proximately caused and contributed to by  
17 negligent acts or omissions on the part of the plaintiffs and/or  
18 their agents herein which contributed to the damages alleged in  
19 this Complaint. Accordingly, Plaintiffs' alleged damages, if any,  
20 should be reduced by an appropriate percentage.

21  
22 **SEVENTH AFFIRMATIVE DEFENSE**

23 **(Laches)**

24 189. Plaintiffs have lost any right to relief against these  
25 answering Defendants through laches, which has resulted in  
26 substantial prejudice to Defendants.



1                    EIGHTH AFFIRMATIVE DEFENSE

2                    (Assumption of Risk)

3                    190. That any damages, injuries or losses sustained by  
4 complainants were caused by risks of which they were well aware and  
5 understood and voluntarily assumed upon themselves.

6  
7                    NINTH AFFIRMATIVE DEFENSE

8                    (Misconduct of Others)

9                    191. That the damages alleged in the Complaint, if any, were  
10 proximately caused by the acts and/or omissions of persons,  
11 entities, other than these answering defendants and over which  
12 these defendants had no control.

13  
14                    TENTH AFFIRMATIVE DEFENSE

15                    (Not Recoverable Damages)

16                    192. Said Complaint seeks damages not properly recoverable  
17 from this defendants.

18  
19                    ELEVENTH AFFIRMATIVE DEFENSE

20                    (Improper Forum)

21                    193. That this Court is an improper forum for the resolution  
22 of the claims alleged by Plaintiffs herein.

23                    WHEREFORE, Defendants pray for judgment against Plaintiffs as  
24 follows:

25                    1. That Plaintiffs take nothing by reason of their Complaint;  
26 and

1           2. For costs of suit herein; and,

2           3. For such other and further relief as this Court may deem  
3 just and proper.

4 DATED: July 30, 1997

5 LEWIS, D'AMATO, BRISBOIS & BISGAARD, LLP

6  
7 BY: 

8 JOSEPH C. CAMPO  
9 Attorneys for Defendants  
10 Joseph A. Clair III and  
11 Center City Planning  
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28

DEMAND FOR JURY

These answering Defendants herewith make demand for a jury trial in the above-entitled matter.

DATED: July 30, 1997

BY: 

JOSEPH C. CAMPO  
LEWIS, D'AMATO, BRISBOIS & BISGAARD, LLP  
Attorneys for Defendants  
Joseph A. Clair III and  
Center City Planning

PROOF OF SERVICE

Case Name: CLARK V. ANDOVER ET AL

STATE OF CALIFORNIA     )  
                                  ) ss.  
COUNTY OF LOS ANGELES   )

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action; my business address is: 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012-2601.

On July 30, 1997, I served the following described as:  
ANSWER TO SECOND AMENDED COMPLAINT on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Timothy C. Karen, Esq.  
Mary A. Smigielski, Esq.  
LAW OFFICES OF TIMOTHY C. KAREN  
12702 Via Cortina, Suite 100  
Del Mar, CA 92014

☒ (BY MAIL) I am "readily familiar" with the firm's practice of collection and processing correspondence by mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY TELECOPY) BY STIPULATION I caused such document to be delivered by telecopy transmission to the offices of the addressee.

☐ (BY PERSONAL DELIVERY) I caused such envelope to be delivered by hand to the offices of the addressee.

☐ (BY FEDERAL EXPRESS) I caused such envelope to be delivered by Federal Express to the offices of the addressee.

☒ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.  
Executed on July 30, 1997, at Los Angeles, California.

  
DEBORA TOWNES